

39. The ink jet printer as claimed in claim 33, wherein said resilient member is not flexed when said ink cartridge is securely mounted in said carriage.

40. The ink jet printer as claimed in claim 38, wherein each of said first and second arms includes a cam groove facilitating the mounting and demounting of the ink cartridge in said carriage.

41. The ink jet printer as claimed in claim 33, wherein said resilient member assists in reducing vibration of said carriage when said carriage is moving in said carriage moving direction.--

REMARKS

This Amendment is submitted in response to the outstanding Office Action dated October 5, 1995, wherein claims 33 and 34 are rejected. Reconsideration and allowance of the application in view of the amendments presented herein and the following remarks is respectfully requested. Applicants note with appreciation that claims 29-32 are indicated as being allowable over the prior art of record.

Applicants have reviewed the specification and have noted that the direction arrow x is not shown in the drawings but referred to at pages 41-42 of the specification. Applicants submit that the reference to arrow "x" was a typographical error and should be indicated as arrow --z-- which is shown in the drawings as originally filed. Accordingly,

Applicants have amended the specification at pages 41 and 42 to correct this obvious typographical error. Applicants respectfully submit that no new matter is added hereby and respectfully request entry of the amendments to the specification.

Turning now to the substantive rejections based on the prior art, claims 33 and 34 are rejected under 35 U.S.C. § 102(a) as being anticipated by Nakamura, Japanese Patent No. 5-177830 ("Nakamura"). Applicants respectfully traverse this rejection.

Applicants respectfully note that the effective publication date of Nakamura is July 20, 1993, which is after each of the priority dates of the Japanese applications upon which parent application Serial No. 08/119,012 and the present divisional application are based.

Without conceding, in fact, that the Nakamura reference otherwise supports the rejection, Applicants are filing concurrently herewith and attach hereto, as Exhibit A, a copy of a Declaration under 37 C.F.R. § 1.55, as well as a certified English language translation of priority Japanese Application No. Hei. 4-270567, filed October 8, 1992. Applicants will furnish the originally executed Declaration under 37 C.F.R. § 1.55 in due course, but, in view of the time constraints, Applicants respectfully request consideration and entry of the certified English language translation and Declaration being filed herewith. A certified copy of this priority Japanese application was filed in parent application Serial No. 08/119,012 as indicated in the outstanding Office Action. Applicants respectfully submit that claims 33 and

34 are fully supported by Japanese Application No. Hei. 4-270567. Accordingly, Applicants respectfully submit that this application is entitled to the effective filing date of at least October 8, 1992, the priority application latest in time, under 35 U.S.C. § 119.

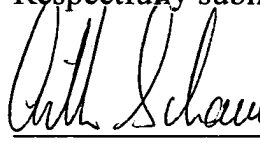
Applicants respectfully submit that the Nakamura reference which was published on July 20, 1993, after Applicants' latest priority date of October 8, 1992, is not prior art to this application. Therefore, Applicants respectfully submit that since claims 33-34 have only been rejected as being anticipated by Nakamura, there are no longer any rejections upon which claims 33 and 34 are rejected, and notice to the effect that claims 33 and 34 are allowable over the applicable prior art is respectfully requested by the withdrawal of the Section 102 rejection.

Applicants also submit herein for examination new claims 36-41. Since the total number of claims remains less than twenty (20), no additional claim fees are necessary. Applicants respectfully request consideration of new claims 36-41 and submit that these claims are allowable over the prior art of record and respectfully request notice to this effect.

Applicants have made a sincere effort to overcome the rejection under 35 U.S.C. § 102(a) raised in the Office Action. Therefore, Applicants respectfully submit that claims 29-34 and newly proposed claims 36-41 are in condition for immediate allowance and notice to this effect is earnestly solicited. However, if upon review of the application, the Examiner is unable to issue an immediate Notice of Allowance, the Examiner is respectfully

requested to telephone Applicants' attorney with a view towards resolving the outstanding issues, giving the person who answers to telephone our Docket No. 448563/046.

Respectfully submitted,

 REG No 37,715

FOR

Lawrence Rosenthal
Registration No. 24,377
Attorneys for Applicants
Stroock & Stroock & Lavan
7 Hanover Square
New York, New York 10004
(212) 806-6660